

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

THOMAS BAILEY, #254-336 :
Petitioner :
v. : CIVIL ACTION NO. WDQ-05-1742
JON P. GALLEY, WARDEN :
and :
THE ATTORNEY GENERAL OF THE :
STATE OF MARYLAND, J. JOSEPH :
CURRAN, JR. :
Respondents :
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MEMORANDUM

Pending is a petition for federal habeas corpus relief filed pro se by Thomas Bailey, a state prisoner incarcerated at the Western Correctional Institution. Petitioner's motion for leave to proceed in forma pauperis in this action will be granted by separate order. Petitioner has also filed a "Motion to Amending Writ Relief" which will be construed as a supplement to the petition.

Pro se petitions are construed liberally by this court and are held to a less stringent standard than those drafted by attorneys. See Haines v. Kerner 404 U.S. 519, 520 (1972); Gordon v. Leeke, 574 F.2d 1147, 1151 (4th Cir.1978). Liberal construction, however, does not mean that the Court can ignore a clear failure in the pleading to allege facts that set forth a claim cognizable in a federal district court. See Weller v. Dep't of Social Services, 901 F.2d 387, 390- 91 (4th Cir.1990). Petitioner must clearly present not only case law and statutes, but relate them to the facts of his case.¹

¹According to Rule 2(c) of the Rules Governing Section 2254 Cases in the United States District Court, the petition must:

Accordingly, the Court will grant Petitioner thirty days to supplement the petition in accordance with this Memorandum. Failure to comply within this period may result in dismissal of the petition. A separate Order follows.

July 5, 2005

Date

/s/_____

William D. Quarles, Jr.
United States District Judge

- (1) specify all grounds for relief available to the petitioner;
- (2) state the facts supporting each ground;
- (3) state the relief requested;

Petitioner may find it helpful to list the facts and legal support for his claims on the pre-printed forms provided for filing a 28 U.S.C. §2254 petition.